

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CORNELIUS AARON PETTUS,
JR.,

Defendant.

Case No. 3:20-cr-00100-SLG-MMS

ORDER REGARDING MOTION IN LIMINE (404(b) EVIDENCE)

Before the Court at Docket 27 is defendant Cornelius Aaron Pettus, Jr.'s Motion in Limine Regarding Notice of Intent to Introduce Prior Bad Act Evidence. The government's Notice of Intent to Introduce Prior Bad Acts is at Docket 26. The government did not respond to the instant motion.

Mr. Pettus is charged with willfully using unconstitutionally excessive force in his official capacity as a police officer on September 30, 2019, in violation of 18 U.S.C. § 242.¹

Pursuant to Local Civil Rule 7.2(h), made applicable to criminal proceedings by Local Criminal Rule 1.1(b), the "failure to respond to a non-dispositive motion . . . subjects the motion to summary ruling by the court and may be deemed an admission that the motion is well taken." Therefore, IT IS ORDERED that the

¹ Docket 26 at 1.

motion at Docket 27 is GRANTED. The government is precluded from introducing or referring to the proposed evidence of other acts as referenced in its Notice of Intent to Introduce Prior Bad Acts, filed on July 9, 2021, at Docket 26, unless application is first made *outside the presence of the jury*.

DATED this 27th day of August, 2021, at Anchorage, Alaska.

/s/ Sharon L. Gleason

UNITED STATES DISTRICT JUDGE